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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|------------------------|---------------------|------------------|
| 10/659,123 | 09/10/2003 | Timothy Gerhard Barker | 49335.2300 | 3544 |

7590 03/27/2006

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EXAMINER

BACKER, FIRMIN

| | |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
|----------|--------------|

3621

DATE MAILED: 03/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|--------------------------------------|--------------------------------------|--|
| Office Action Summary | Application No. 10/659,123 | Applicant(s) BARKER ET AL. | |
| | Examiner FIRMN BACKER | Art Unit 3621 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Kizer et al (U.S. PG Pub No. 2003/0125969 A1).

3. As per claim 1, Kizer et al a method for a client to authorize an automated clearance house transaction, the method comprising providing an online web interface to a financial services provider network; allowing secure access to the online web interface providing set-up and authorization information, accepting set-up and authorization information and criteria; and executing an authorized ACH transaction based on the set-up and authorization information (*see paragraphs 0006, 0009, 0011, 0014, 0019, 0020, 0081, 0087-0092*).

4. As per claim 2, Kizer et al a method of modifying the set-up and authorization information and criteria, accepting the modified client set-up and authorization information and criteria, and providing notice of the executed ACH transaction (*see paragraphs 0006, 0009, 0011, 0014, 0019, 0020, 0081, 0087-0092*).

5. As per claim 3, Kizer et al a method further comprising the step of providing access to the inputted set-up and authorization information and criteria and ACH transactions history (*see paragraphs 0006, 0009, 0011, 0014, 0019, 0020, 0081, 0087-0092*).
6. As per claim 4, Kizer et al a method wherein the ACH transaction is a recurring, non-returning or one-time ACH transaction (*see paragraphs 0006, 0009, 0011, 0014, 0019, 0020, 0081, 0087-0092*).
7. As per claim 5, Kizer et al a method wherein the ACH transaction is an ACH-in transaction that electronically transfers client funds from a client account at a third party financial institution to at least one client account at the financial service provider (*see paragraphs 0006, 0009, 0011, 0014, 0019, 0020, 0081, 0087-0092*).
8. As per claim 6, Kizer et al a method wherein the inputted set-up and authorization information and criteria comprises routing numbers for a client third party financial institution, at least one client account number at the client third party financial institution and financial service provider, amount of funds to be transferred between at least one client account in the client third party financial institution and at least one client account at the financial service provider', and criteria indicating a recurring, non-recurring or one-time ACH transaction (*see paragraphs 0006, 0009, 0011, 0014, 0019, 0020, 0081, 0087-0092*).

9. As per claim 7, Kizer et al a method for authorizing an automated clearance house (ACH) transaction, the method comprising providing an online web interface on a financial services provider network, allowing secure access to the online web interface via the internet; receiving authorization information and criteria at the interface; accepting and acknowledging the authorization information and criteria; automatically executing an authorized ACH transaction based on the authorization information (*see paragraphs 0006, 0009, 0011, 0014, 0019, 0020, 0081, 0087-0092*).

10. As per claim 8, Kizer et al a method of notifying the client of the executed ACH transaction, enabling modification of the authorization information; and accepting and acknowledging the modified authorization information (*see paragraphs 0006, 0009, 0011, 0014, 0019, 0020, 0081, 0087-0092*).

11. As per claim 9, Kizer et al a method wherein the access to the online web interface is via computer having a web browser application (*see paragraphs 0006, 0009, 0011, 0014, 0019, 0020, 0081, 0087-0092*).

12. As per claim 10, Kizer et al a method wherein the ACH transaction is a recurring, non-recurring or one-time ACH transaction (*see paragraphs 0006, 0009, 0011, 0014, 0019, 0020, 0081, 0087-0092*).

Art Unit: 3621

13. As per claim 11, Kizer et al a method wherein the ACH transaction is an ACH-in transaction (*see paragraphs 0006, 0009, 0011, 0014, 0019, 0020, 0081, 0087-0092*).

14. As per claim 12, Kizer et al a method wherein the inputted authorization information includes information selected from the group consisting routing numbers for a third party financial institution, an account number at a third party financial institution, an amount of funds to be transferred; and criteria indicating a recurring, non-recurring or one-time ACH transaction (*see paragraphs 0006, 0009, 0011, 0014, 0019, 0020, 0081, 0087-0092*).

15. As per claim 13, Kizer et al a method for a client to individually set-up and authorize all automated clearance house (ACH) in transaction, the method comprising providing an online web interface on a financial services provider network, allowing a client to securely access the online web interface via a client computer having a web browser application, permitting the client to input authorization information and criteria via the client computer, accepting and acknowledging the authorization information and criteria, automatically executing an authorized ACH-in transaction based on the client inputted authorization information and criteria to electronically transfer client funds from a client account at a third party financial institution to at least one client account at the financial service provider, enabling the client to modify the authorization information and criteria (*see paragraphs 0006, 0009, 0011, 0014, 0019, 0020, 0081, 0087-0092*).

Art Unit: 3621

16. As per claim 14, Kizer et al a method of accepting and notifying the client of the completed ACH-in transaction, and acknowledging the modified authorization information and criteria (*see paragraphs 0006, 0009, 0011, 0014, 0019, 0020, 0081, 0087-0092*).

17. As per claim 15, Kizer et al a method wherein the ACH-in transaction is a recurring, non-recurring or one-time ACH-in transaction (*see paragraphs 0006, 0009, 0011, 0014, 0019, 0020, 0081, 0087-0092*).

18. As per claim 16, Kizer et al a method wherein the inputted authorization information and criteria comprises routing numbers for a client third party financial institution, at least one client account number at the client third party financial institution and financial service provider, amount of funds to be transferred between at least one client account in the client third party financial institution and at least one client account at the financial service provider; and criteria indicating a recurring, non-recurring or one-time ACH-in transaction (*see paragraphs 0006, 0009, 0011, 0014, 0019, 0020, 0081, 0087-0092*).

Conclusion

19. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. (*see form*).

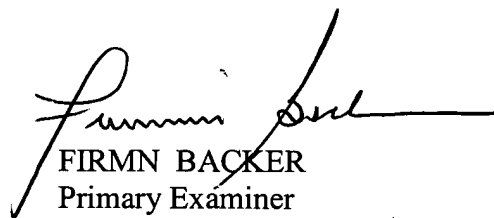
Art Unit: 3621

Any inquiry concerning this communication or earlier communications from the examiner should be directed to FIRMN BACKER whose telephone number is 571-272-6703.

The examiner can normally be reached on Monday - Thursday 9:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on (571) 272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



FIRMN BACKER
Primary Examiner
Art Unit 3621

March 16, 2006